



City of Chicopee
City Council
License Committee

Approved 9-28-2020

Members

Stanley Walczak, Chair
Fred Krampits, Vice Chair
George Balakier
Frank Laflamme
Derek Dobosz

MINUTES
February 24, 2020

The following are the minutes of a public hearing held Monday, February 24, 2020 at 6:30 PM held in the Council Chambers, 4th floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present

Walczak, Krampits (arrived 6:40), Laflamme, Dobosz, Balakier

Also Present

Attorney Daniel Garvey (Associate City Solicitor), Carl Dietz (Building Commissioner), Captain Benjamin Turnberg

The meeting was called to order at 6:30 PM

In compliance with the Open Meeting Law the Chairman asked if anyone in the audience was recording the meeting. Hearing none the meeting continued.

ITEM #1

ORDERED THAT Atlantic Coast Enterprises d/b/a Jiffy Lube #119, 2017 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by. Atlantic Coast Enterprises d/b/a Jiffy Lube #119 including compliance with restrictions imposed upon any licenses held by Atlantic Coast Enterprises d/b/a Jiffy Lube #119. The Council may modify, suspend, fine, or revoke any license held by Atlantic Coast Enterprises d/b/a Jiffy Lube #119. Violation – Failure to paint Handicap sign and appropriate markings.

Vinny Martucci, representing Jiffy Lube, stated that a template has been painted and there is a handicap parking sign in the window. He continued that once the weather breaks more permanent parking will be made.

Carl Dietz stated that the handicap parking sign is a requirement but the pavement markings are not required.

Motion made by Councilor Laflamme and second by Councilor Walczak to place on file.

Committee vote 4 – 0 favorable.

ITEM #2

ORDERED THAT Matt's Auto Mall, LLC, 1840 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Matt's Auto Mall, LLC, including compliance with restrictions imposed upon any licenses held by Matt's Auto Mall, LLC. The Council may modify, suspend, fine, or revoke any license held by Matt's Auto Mall, LLC. Violation – too many vehicles on property.

Matt Jensen was present at the meeting.

Chairman Walczak asked how many vehicles are currently on the property. Mr. Jensen replied that there are 29 vehicles.

Carl Dietz stated that when he visited the property on February 11th there were 24 vehicles.

Mr. Jensen stated that the antique cars on the property are not for sale. They are his vehicles. Mr. Jensen continued that as soon as he purchases a house those vehicles will be moved from this property.

Councilor Balakier asked when Mr. Jensen will be moving into his house. Mr. Jensen replied that next few months. He's in the process of getting a house but it's at least a 4 month process.

Councilor Walczak asked about the plow trucks on the front of the property. Mr. Jensen stated that one is broken and the other is used for snow removal.

Councilor Laflamme asked if the additional cars on the property that are parked in front of the trailer impede the Fire Department.

Captain Turnberg stated that they would like them moved to the right side of the property that currently has no vehicles parked there.

Councilor Walczak stated that arrows need to be painted for traffic flow. He also observed items in the rear of the property (tires, tow trucks, Jeep). Mr. Jensen stated that tires are needed for his vehicles, tow truck is for sale, car belongs to his brother.

Mr. Jensen stated that Roy's Automotive in Ludlow is utilized for repairs of vehicles.

Motion made by Councilor Laflamme and second by Councilor Walczak to continue with current and following restrictions:

Additional restrictions placed on the license:

1. No parking in front of building
2. Arrows painted on property to enter/exit
3. Tires to be removed and debris removed in back of building
4. Vehicles remaining on property per Fire Department will be adjusted per location

Committee vote 5 – 0 favorable.

ITEM #3

Application for a Junk Dealer's License at 591 Grattan Street.

Applicant – Amy Plouffe, 27 Julie Avenue, Chicopee, MA 01020

Amy Plouffe and Edmund Plouffe, Jr., were present at the meeting. She stated that she wants to sell used items acquired at storage unit auctions; small kitchen appliances, TVs, radios, clothes, knick-knacks. She stated that the property is located across the street from St. Rose deLima Church, on the corner of Percy and Grattan. The store is not very large therefore, she can't fit furniture in the store to sell.

Reports read from the following:

Planning Department – Business A, use is allowable in a Business A zone however, Planning will not review until applicant supplies a site plan and provides details as to the products being sold.

Building Department – Property is zoned Business A. The application is not specific, presume the license request is under 188-7 of the City Code for a Junk Collector and pawn shop license. The zoning district permits retail sales and repair of than automobiles, so the use works with the zoning. There appears to be no on-site parking for a business use at this address.

Fire Department – The type of junk to be sold? Would it require additional protection; i.e sprinklers, storage considerations, required permits.

Councilor Balakier asked the applicant if she has experience running this type of business. Ms. Plouffe replied that this is a new venture but they do have flea market experience.

Councilor Laflamme stated that Percy Street has had many parking issues in the past. He continued that he feels that it will be OK for this type of small business.

Captain Turnberg stated that if the business was to sell upholstered furniture that would trigger a sprinkler system. Ms. Plouffe stated that they do not have upholstered furniture. The space is too small to sell furniture.

Restrictions

No flammable items allowed in store

No upholstered furniture in store

Certificate of Occupancy required

Hours of Operation M-Sunday 10 AM – 7 PM. Closed Thursday.

Motion made by Councilor Laflamme and second by Councilor Walczak to approve.

Committee vote 5 – 0 favorable.

ITEM #4

ORDERED THAT Tito's Auto Sales, Inc. located at 357 Chicopee Street come before the License Committee to review the currently held licenses and the license holder provide an update on the current business activity.

Jeffrey Jose was present at the meeting.

Councilor Walczak read the following Class II restrictions: Good housekeeping, no outside storage, no junk cars, no outside repairs, total number of vehicles 34 outside, 27 dedicated for sales, 5 sales customers, 2 employee, hours of operation M-F 9-7, Saturday 9-5, closed Sunday, Fire regulations.

Councilor Laflamme stated that he has received calls that cars are not being sold at the property. He asked the license holder what he is doing with the property. Mr. Jose stated that last year he invested in other rental properties. He got short. His father helped him at the end of the year. He got himself to a point that he was limited to what he could do. He applied late to renew his licenses and then there was a hold up and he couldn't buy cars to sell. He now will go into selling cars again.

Councilor Laflamme stated that his property now has vehicles for lease. He further stated that he is not licensed for this type of business. He also stated that if the intent is not to sell cars than that license needs to be pulled. Mr. Jose stated that his intent is to sell cars at this property.

Mr. Jose asked what if he wants to lower the number of vehicles he sells and do something with the rear of the property. Carl Dietz stated that Mr. Jose should prepare a site plan and have it reviewed with his proposal.

Motion made by Councilor Laflamme and second by Councilor Walczak to continue the license for 3 months and review. The license holder to review plot plans with Building Commissioner during this period.

Committee vote 5 – 0 favorable.

ITEM #5

Application for a Class II License for Kins Auto Sales & Repairs located at 1098 Chicopee Street.
Applicant- Joaquin Rodriguez, 41 Woodside Terrace, Springfield, MA 01102.

Joaquin Rodriguez and Gary Piteo, 26 Farney Street, Springfield, MA were present at the meeting. Mr. Piteo is the General Manager of the car lot across the street at 1095 Chicopee Street.

Councilor Walczak asked that they will be selling cars on both sides of the street. Mr. Piteo replied that on one side will be trucks and foreign cars and the other side will be domestic cars.

The committee reviewed the submitted plans for the business. Mr. Piteo stated that he and Mr. Rodriguez have not seen the plan. A surveyor was hired to do the plan and he submitted it to the Planning Department. Councilor Laflamme stated that the plan as submitted blocks off the front of the building. Carl Dietz stated that the plan was not done by a licensed surveyor. Councilor Laflamme stated that as presented today he could not vote favorably because the front is blocked off for emergency personnel.

Reports read from the following departments:

Planning & Conservation – Property is zoned Business A; used auto sales and auto repairs are permitted in the zone. Parcel is impacted by resource areas under the jurisdiction of the Chicopee Conservation Commission (Riverfront Area of the Connecticut River); (No further pavement or reconstruction of pavement can occur without filing with the Conservation Commission), Planning is concerned with having auto repair services located within any riverfront area, While ample customer parking is provided on site, Planning is concerned that the overall site parking proposal creates significant access issues for easily moving automobiles around the site and for Public Safety access; This site may simply be too small to support this proposal in an efficient manner. Planning cannot recommend approval with a reduction in program.

Councilor Walczak stated that a Class II requires incorporation papers. Mr. Rodriguez stated that he has an LLC.

Building Department – Property is zoned Business A. Motor vehicle repair and auto trade are permitted uses within the district. The parking layout appears appropriate for the use. The site plan was not prepared by a registered land surveyor.

Engineering Department – Recommend wheel stops be installed on parking spaces abutting sidewalks. Parking spaces cannot be in front of curb cut and apron. Need to eliminate 1 spot along Chicopee Street at the northern entrance.

Fire Department – No issues

Captain Turnberg stated the plan proposal is tight.

Gary Piteo stated that they are not necessarily looking to do major repairs. It may be just sell and install wheels not tires. The carport would be enclosed to do with work.

Gary Piteo stated that now that he sees the plan provided he understands that it's too crowded.

Mr. Rodriguez requested the committee to write everything that they want on the plan. Councilor Laflamme stated that that is not his responsibility. He can't tell Mr. Rodriguez how to run his property. Councilor Laflamme said that he must follow the guidelines provided in the City Code.

Motion made by Councilor Laflamme and second by Councilor Walczak to postpone to the call of the chair and review in 60 days with a new plot plan.

Committee vote 5 – 0 favorable.

ITEM #6

Application for an Auto Repair License for Kins Auto Sales & Repairs located at 1098 Chicopee Street.
Applicant – Joaquin Rodriguez, 41 Woodside Terrace, Springfield, MA 01102.

Joaquin Rodriguez and Gary Piteo, 26 Farney Street, Springfield, MA were present at the meeting. Mr. Piteo is the General Manager of the car lot across the street at 1095 Chicopee Street.

Attorney Garvey provided the applicant a copy of the City Code that states what should be included in the plot plan.

Motion made by Councilor Laflamme and second by Councilor Walczak to postpone to the call of the chair and review in 60 days with a new plot plan.

Committee vote 5 – 0 favorable.

ITEM #7

Minutes – December 16, 2019 Motion made by Councilor Laflamme and second by Councilor Walczak to approve. Motion passed.

Meeting adjourned at 7:45 PM.